


<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 11502/33	
In Re Application Of: Blatter						
Application No. 10/706,245	Filing Date November 12, 2003	Examiner Julian W. Woo	Customer No. 32642	Group Art Unit 3731	Confirmation No.	
Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM						
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
<b>37 CFR 1.97(b)</b>						
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
<b>37 CFR 1.97(c)</b>						
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);						
<b>OR</b>						
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).						

P10A/REV05

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Title: <b>STAPLE AND ANVIL ANASTOMOSIS SYSTEM</b>						
<div style="text-align: center;"><b>Payment of Fee</b> (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</div> <div style="margin-top: 10px;"><input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u><b>50-2375</b></u> as described below.<div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</div></div> <div style="margin-top: 10px;"><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%;"><div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 5px;"><b>Certificate of Transmission by Facsimile*</b></div><div style="border: 1px solid black; padding: 5px; min-height: 150px;"><p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa</p><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">(Date)</div><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">Signature</div><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">Typed or Printed Name of Person Signing Certificate</div></div></div><div style="width: 45%;"><div style="text-align: center; border-bottom: 1px solid black; margin-bottom: 5px;"><b>Certificate of Mailing by First Class Mail</b></div><div style="border: 1px solid black; padding: 5px; min-height: 150px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">(Date)</div><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">Signature of Person Mailing Correspondence</div><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;">Typed or Printed Name of Person Mailing Certificate</div></div></div></div> <div style="margin-top: 20px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p><b>*This certificate may only be used if paying by deposit account.</b></p><div style="border-top: 1px solid black; margin-top: 10px; text-align: center;"> Signature</div></div><div style="width: 45%; text-align: right;"><p>Dated: <b>MARCH 27, 2006</b></p></div></div><div style="margin-top: 20px;"><p><b>Kevin B. Laurence</b> Registration No. 38,219 Stoel Rives LLP One Utah Center 201 South Main Street, Suite 1100 Salt Lake City, UT 84111 Telephone: 801-578-6932 Facsimile: 801-578-6999</p></div><div style="margin-top: 20px;">CC:</div></div>						

P10A/REV05

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— VIA FACSIMILE —

**PATENT APPLICATION**  
**Docket No. 11502/33****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Blatter

Serial No.: 10/706,245

Filed: November 12, 2003

Title: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

Examiner: Julian W. Woo

Customer No.: 32642

Art Unit  
3731**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97****TO THE COMMISSIONER FOR PATENTS:**

1. Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

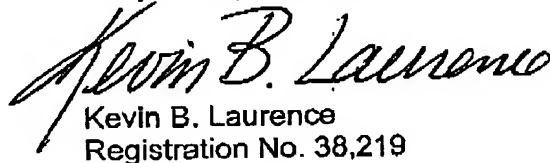
- ☐ Copies of listed documents are enclosed. (37 CFR § 1.98(a))
- ☒ Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing. Copies of listed foreign patent documents and non-patent literature are enclosed.
- ☐ Copies of listed foreign patent documents and/or non-patent literature are enclosed. (37 C.F.R. § 1.98(a)(2))
- ☐ Copies of the documents listed on sheet(s) \_\_\_\_\_ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. \_\_\_\_\_, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))

2. ☐ The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, for \_\_\_\_\_, which is cited in this application.
3. This information disclosure statement is being submitted (check box a., b., or c.):
- a. ☒ Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or
- b. ☐ After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. ☐ A \$180.00 Information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- ☐ each item of Information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ no item of information contained in the Information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

5. ☐ A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is included.

DATED this 27<sup>TH</sup> day of MARCH, 2006.

Respectfully submitted,

  
Kevin B. Laurence  
Registration No. 38,219

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CUSTOMER NO. 32642

## INFORMATION DISCLOSURE CITATION

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
11502/33APPLICATION NO.  
10/706,245

TITLE: STAPLE AND ANVIL ANASTOMOSIS SYSTEM

CUSTOMER NO.: 32642

APPLICANT - Blatter

FILING DATE-  
November 12, 2003GROUP-  
Not Assigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	5,993,468	11/30/1999	Rygaard	606	151	09/17/1998
	2	5,330,486	07/19,1994	Wilk	606	139	11/25/1992
	3	4,319,576	03/16/1982	Rothfuss	128	305	02/26/1980

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.